

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

TERRY TYLER,) CASE NO. 8:12CV100
Petitioner,)
v.) MEMORANDUM
U.S. ATTORNEY GENERAL,) AND ORDER
Respondent.)

This matter is before the court on its own motion. On August 13, 2012, the court entered a Memorandum and Order directing Petitioner to complete and return the AO Form 240 application or pay the \$5.00 filing fee no later than September 7, 2012. (Filing No. 6) The court warned Petitioner that failure to complete and return the form or pay the \$5.00 filing fee would result in the dismissal of this matter without further notice. Plaintiff has not returned the AO Form 240 or paid the \$5.00 filing fee.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court's orders;
 2. All pending motions are denied as moot; and
 3. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 11th day of October, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

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